

considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. HASTINGS of Washington, the previous question was ordered on the resolution, to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution, was agreed to was, by unanimous consent, laid on the table.

#### ¶101.5 NATIONAL MONUMENTS

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to House Resolution 296 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1487) to provide for public participation in the declaration of national monuments under the Act popularly known as the Antiquities Act of 1906.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, by unanimous consent, designated Mr. MILLER of Florida as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. MCHUGH, assumed the Chair.

When Mr. MILLER of Florida, Chairman, pursuant to House Resolution 296, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

#### SECTION 1. PUBLIC PARTICIPATION IN THE DECLARATION AND SUBSEQUENT MANAGEMENT OF NATIONAL MONUMENTS.

Section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431; popularly known as the Antiquities Act of 1906), is amended—

(1) by striking "Sec. 2. That the" and inserting "Sec. 2. (a) The"; and

(2) by adding at the end the following:

"(b)(1) To the extent consistent with the protection of the historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest located on the public lands to be designated, the President shall—

"(A) solicit public participation and comment in the development of a monument declaration; and

"(B) consult with the Governor and congressional delegation of the State or territory in which such lands are located, to the extent practicable, at least 60 days prior to any national monument declaration.

"(2) Before issuing a declaration under this section, the President shall consider any information made available in the development of existing plans and programs for the management of the lands in question, including such public comments as may have been offered.

"(c) Any management plan for a national monument developed subsequent to a declaration made under this section shall comply with the procedural requirements of the National Environmental Policy Act of 1969."

laration made under this section shall comply with the procedural requirements of the National Environmental Policy Act of 1969."

#### SEC. 2. RULE OF CONSTRUCTION.

Nothing in this Act or any amendment made by this Act shall be construed to enlarge, diminish, or modify the authority of the President to act to protect public lands and resources.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. MCHUGH, announced that the yeas had it.

Mr. HANSEN objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. MCHUGH, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

#### ¶101.6 MOTION TO INSTRUCT

CONFEREES—H.R. 1501

Mr. DOOLITTLE submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 1501) to provide grants to ensure increased accountability for juvenile offenders, to insist that the conference report not include Senate provisions that (1) do not recognize that the second amendment to the Constitution protects the individual right of American citizens to keep and bear arms; and (2) impose unconstitutional restrictions on the second amendment rights of individuals.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. MCHUGH, announced that the yeas had it.

Mr. DOOLITTLE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. MCHUGH, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

#### ¶101.7 MOTION TO INSTRUCT

CONFEREES—H.R. 1501

Ms. LOFGREN submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 1501) to provide grants to ensure increased accountability for juvenile offenders, that the committee on the conference recommend a conference substitute that includes provisions within the scope of conference

which are consistent with the Second Amendment to the United States Constitution (e.g., 1) requiring unlicensed dealers at gun shows to conduct background checks; 2) banning the juvenile possession of assault weapons; 3) requiring that child safety locks be sold with every handgun; and 4) Juvenile Brady).

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. PETRI, announced that the yeas had it.

Ms. LOFGREN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

#### ¶101.8 H.R. 1487—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on the passage of the bill (H.R. 1487) to provide for public participation in the declaration of national monuments under the Act popularly known as the Antiquities Act of 1906.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. PETRI, announced that yeas had it.

Mr. CANADY demanded the yeas and nays on the passage of the bill, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

It was decided in the { Yeas ..... 408  
affirmative ..... Nays ..... 2

#### ¶101.9 [Roll No. 444]

YEAS—408

Abercrombie	Berman	Buyer
Ackerman	Berry	Callahan
Aderholt	Biggart	Camp
Allen	Bilbray	Campbell
Andrews	Bilirakis	Canady
Archer	Bishop	Cannon
Armey	Blagojevich	Capps
Bachus	Bliley	Capuano
Baird	Blumenauer	Cardin
Baldacci	Blunt	Castle
Baldwin	Boehler	Chabot
Ballenger	Boehner	Chambliss
Barcia	Bonilla	Chenoweth
Barr	Bonior	Clay
Barrett (NE)	Bono	Clement
Barrett (WI)	Borski	Clyburn
Bartlett	Boswell	Coburn
Barton	Boucher	Collins
Bass	Boyd	Combest
Bateman	Brady (PA)	Condit
Becerra	Brady (TX)	Conyers
Bentsen	Brown (FL)	Cook
Bereuter	Brown (OH)	Cooksey
Berkley	Bryant	Costello

Cox	Hunter	Olver	Thornberry	Vento	Weldon (PA)	Minge	Rangel	Stark
Coyne	Hutchinson	Ortiz	Thune	Visclosky	Weller	Mink	Reyes	Stupak
Cramer	Hyde	Ose	Thurman	Vitter	Wexler	Moore	Rivers	Tauscher
Crane	Inslee	Owens	Tiahrt	Walden	Whitfield	Moran (VA)	Rodriguez	Thompson (CA)
Crowley	Isakson	Oxley	Tierney	Walsh	Wicker	Morella	Roemer	Thompson (MS)
Cubin	Istook	Packard	Toomey	Wamp	Wilson	Nadler	Rothman	Thurman
Cummings	Jackson (IL)	Pallone	Towns	Waters	Wise	Napolitano	Roukema	Tierney
Danner	Jackson-Lee	Pascarell	Trafigant	Watkins	Wolf	Neal	Roybal-Allard	Towns
Davis (FL)	(TX)	Pastor	Turner	Watt (NC)	Woolsey	Nussle	Udall (CO)	Udall (NM)
Davis (IL)	Jenkins	Paul	Udall (CO)	Watts (OK)	Wynn	Obey	Sabo	Upton
Davis (VA)	John	Payne	Udall (NM)	Waxman	Young (AK)	Olver	Sanchez	Velazquez
Deal	Johnson (CT)	Pease	Upton	Weiner	Young (FL)	Ose	Sanders	Vento
DeFazio	Johnson, E. B.	Pelosi	Velazquez	Weldon (FL)		Owens	Sawyer	Visclosky
DeGette	Johnson, Sam	Peterson (MN)				Pallone	Saxton	Waters
DeLaunt	Jones (NC)	Peterson (PA)				Pascarell	Schakowsky	Watt (NC)
DeLauro	Kanjorski	Petri	Mollohan	Nadler		Pastor	Scott	Waxman
DeLay	Kaptur	Phelps				Payne	Serrano	Weiner
DeMint	Kasich	Pickering				Pelosi	Shays	Weller
Deutsch	Kelly	Pickett	Baker	Frost	Pryce (OH)	Pomeroy	Sherman	Wexler
Diaz-Balart	Kennedy	Pitts	Burr	Gallegly	Scarborough	Porter	Slaughter	Wilson
Dickey	Kildee	Pombo	Burton	Holden	Shadegg	Price (NC)	Snyder	Woolsey
Dicks	Kilpatrick	Pomeroy	Calvert	Jefferson	Smith (WA)	Quinn	Spratt	Wynn
Dingell	Kind (WI)	Porter	Carson	Jones (OH)	Tanner	Ramstad	Stabenow	
Dixon	King (NY)	Portman	Clayton	Largent	Weygand			
Doggett	Kingston	Price (NC)	Coble	Miller, George	Wu			
Dooley	Klecza	Quinn	Cunningham	Moakley				
Doolittle	Klink	Radanovich						
Doyle	Knollenberg	Rahall						
Dreier	Kolbe	Ramstad						
Duncan	Kucinich	Rangel						
Dunn	Kuykendall	Regula						
Edwards	LaFalce	Reyes						
Ehlers	LaHood	Reynolds						
Ehrlich	Lampson	Riley						
Emerson	Lantos	Rivers						
Engel	Larson	Rodriguez						
English	LaTham	Roemer						
Eshoo	LaTourette	Rogan						
Etheridge	Lazio	Rogers						
Evans	Leach	Rohrabacher						
Everett	Lee	Ros-Lehtinen						
Ewing	Levin	Rothman						
Farr	Lewis (CA)	Roukema						
Fattah	Lewis (GA)	Roybal-Allard						
Filner	Lewis (KY)	Royce						
Fletcher	Linder	Rush						
Foley	Lipinski	Ryan (WI)						
Forbes	LoBiondo	Ryun (KS)						
Ford	Lofgren	Sabo						
Fossella	Lowey	Salmon						
Fowler	Lucas (KY)	Sanchez						
Frank (MA)	Lucas (OK)	Sanders						
Franks (NJ)	Luther	Sandlin						
Frelinghuysen	Maloney (CT)	Sanford						
Ganske	Maloney (NY)	Sawyer						
Gejdenson	Manzullo	Saxton						
Gekas	Markey	Schaffer						
Gephardt	Martinez	Schakowsky						
Gibbons	Mascara	Scott						
Gilchrest	Matsui	Sensenbrenner						
Gillmor	McCarthy (MO)	Serrano						
Gilman	McCarthy (NY)	Sessions						
Gonzalez	Shaw	Shaw						
Goode	McCrery	Shays						
Goodlatte	McDermott	Sherman						
Goodling	McGovern	Sherwood						
Gordon	McHugh	Shimkus						
Goss	McInnis	Shows						
Graham	McIntosh	Shuster						
Granger	McIntyre	Simpson						
Green (TX)	McKeon	Sisisky						
Green (WI)	McKinney	Skeen						
Greenwood	McNulty	Skelton						
Gutierrez	Meehan	Slaughter						
Gutknecht	Meek (FL)	Smith (MI)						
Hall (OH)	Meeks (NY)	Smith (NJ)						
Hall (TX)	Menendez	Smith (TX)						
Hansen	Metcalf	Snyder						
Hastings (FL)	Mica	Souder						
Hastings (WA)	Millender-	Spence						
Hayes	McDonald	Spratt						
Hayworth	Miller (FL)	Stabenow						
Hefley	Miller, Gary	Stark						
Heger	Minge	Stearns						
Hill (IN)	Mink	Stenholm						
Hill (MT)	Moore	Strickland						
Hilleary	Moran (KS)	Stump						
Hilliard	Moran (VA)	Stupak						
Hinchey	Morella	Sununu						
Hinojosa	Murtha	Sweeney						
Hobson	Myrick	Talent						
Hoefel	Napolitano	Tancredo						
Hoekstra	Neal	Tauscher						
Holt	Nethercutt	Tauzin						
Hoolley	Ney	Taylor (MS)						
Horn	Northup	Taylor (NC)						
Hostettler	Norwood	Terry						
Houghton	Nussle	Thomas						
Hoyer	Oberstar	Thompson (CA)						
Hulshof	Obey	Thompson (MS)						

## NAYS—2

## NOT VOTING—23

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

## 101.10 MOTION TO INSTRUCT

CONFEREES-H.R. 1501—UNFINISHED  
BUSINESS

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 8 of rule XX, announced the unfinished business to be question on the motion to instruct conferees, offered by Mrs. MCCARTHY, on the bill (H.R. 1501) to provide grants to ensure increased accountability for juvenile offenders.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 190  
negative ..... Nays ..... 218

## 101.11

[Roll No. 445]

## YEAS—190

Abercrombie	DeLauro	Jackson-Lee
Ackerman	Deutsch	(TX)
Allen	Dicks	Johnson (CT)
Andrews	Dixon	Johnson, E. B.
Baird	Doggett	Kelly
Baldacci	Dooley	Kennedy
Baldwin	Doyle	Kildee
Barrett (WI)	Dunn	Kilpatrick
Becerra	Edwards	Klecza
Bentsen	Engel	Klink
Berkley	Engel	Kucinich
Berman	Eshoo	Kuykendall
Berry	Evans	LaFalce
Bilbray	Farr	Lantos
Blagojevich	Fattah	Larson
Blumenauer	Filner	Latham
Boehrlert	Foley	Leach
Bonior	Forbes	Lee
Borski	Ford	Levin
Boswell	Frank (MA)	Lewis (GA)
Brady (PA)	Franks (NJ)	Lipinski
Brown (FL)	Frelinghuysen	Lofgren
Brown (OH)	Ganske	Lowey
Camp	Gejdenson	Luther
Campbell	Gephardt	Maloney (CT)
Capps	Gilchrest	Maloney (NY)
Capuano	Gilman	Markey
Cardin	Gonzalez	Martinez
Castle	Greenwood	Matsui
Clay	Gutierrez	McCarthy (MO)
Clyburn	Hall (OH)	McCarthy (NY)
Condit	Hastings (FL)	McDermott
Conyers	Hinchey	McGovern
Coyne	Hinojosa	McKinney
Crowley	Hoefel	McNulty
Cummings	Holt	Meehan
Davis (FL)	Hoolley	Meek (FL)
Davis (IL)	Horn	Meeks (NY)
Davis (VA)	Hoyer	Menendez
DeFazio	Inslee	Millender-
DeGette	Jackson (IL)	McDonald

## NAYS—218

Aderholt	Green (TX)	Petri
Archer	Green (WI)	Phelps
Armey	Gutknecht	Pickering
Bachus	Hall (TX)	Pickett
Ballenger	Hansen	Pitts
Barcia	Hastings (WA)	Pombo
Barr	Hayes	Portman
Barrett (NE)	Hayworth	Radanovich
Bartlett	Hefley	Rahall
Barton	Herger	Regula
Bass	Hill (IN)	Reynolds
Bateman	Hill (MT)	Riley
Bereuter	Hilleary	Rogan
Biggert	Hilliard	Rogers
Bilirakis	Hobson	Rohrabacher
Bishop	Hoekstra	Ros-Lehtinen
Bliley	Hostettler	Royce
Blunt	Houghton	Ryan (WI)
Boehner	Hulshof	Ryun (KS)
Bonilla	Hutchinson	Salmon
Bono	Hyde	Sandlin
Boucher	Isakson	Sanford
Boyd	Istook	Schaffer
Brady (TX)	Jenkins	Sensenbrenner
Bryant	John	Sessions
Buyer	Johnson, Sam	Shaw
Callahan	Jones (NC)	Sherwood
Canady	Kanjorski	Shimkus
Cannon	Kasich	Shows
Chabot	Kind (WI)	Shuster
Chambliss	King (NY)	Simpson
Chenoweth	Kingston	Sisisky
Clement	Knollenberg	Skeen
Coburn	Kolbe	Skelton
Collins	LaHood	Smith (MI)
Combest	Lampson	Smith (NJ)
Cook	LaTourette	Smith (TX)
Cooksey	Lazio	Souder
Costello	Lewis (CA)	Spence
Cox	Lewis (KY)	Stearns
Cramer	Linder	Stenholm
Crane	LoBiondo	Strickland
Cubin	Lucas (KY)	Stump
Danner	Lucas (OK)	Sununu
Deal	Manzullo	Sweeney
DeLay	Mascara	Talent
DeMint	McCollum	Tancredo
Diaz-Balart	McCrery	Tauzin
Dickey	McHugh	Taylor (MS)
Dingell	McInnis	Taylor (NC)
Doolittle	McIntosh	Terry
Dreier	McIntyre	Thomas
Duncan	McKeon	Thornberry
Ehlers	Metcalf	Thune
Ehrlich	Mica	Tiahrt
Emerson	Miller (FL)	Toomey
English	Miller, Gary	Trafigant
Etheridge	Mollohan	Turner
Everett	Moran (KS)	Vitter
Ewing	Murtha	Walden
Fletcher	Myrick	Walsh
Fossella	Nethercutt	Wamp
Fowler	Ney	Watkins
Gekas	Northup	Watts (OK)
Gibbons	Norwood	Weldon (FL)
Gillmor	Oberstar	Weldon (PA)
Goode	Ortiz	Whitfield
Goodlatte	Oxley	Wicker
Goodling	Packard	Wise
Gordon	Paul	Wolf
Goss	Pease	Young (AK)
Graham	Peterson (MN)	Young (FL)
Granger	Peterson (PA)	